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PATENT  
ATTORNEY DOCKET NO. 041465-5127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hiroki KURIBAYASHI *et al.*) Confirmation No.: 9135  
)  
Application No.: 09/988,714 ) Group Art Unit: 2131  
)  
Filed: November 20, 2001 ) Examiner: *To Be Assigned*  
)  
For: DATA RECORDING METHOD, DATA )  
RECORDING APPARATUS, DATA ) RECEIVED  
REPRODUCTION METHOD AND DATA )  
REPRODUCTION APPARATUS ) JAN 09 2004

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

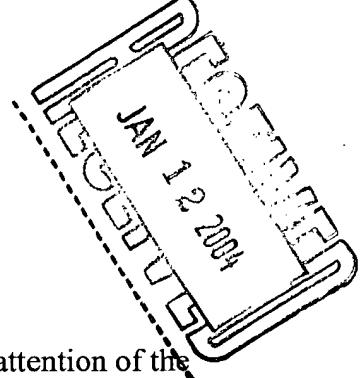
Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application.

A European Search Report dated November 4, 2003 is attached together with the documents listed thereon. Applicants respectfully request that the Examiner consider the European Search Report and listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

Technology Center 2100



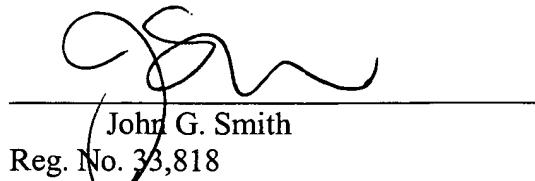
As for relevance for any non-English language documents, an English-language Abstract is provided, or such documents are referred to on the European Search Report.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, **or** credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



John G. Smith  
Reg. No. 33,818

Date: January 7, 2003

**CUSTOMER NO.: 009629**  
MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202.739.3000  
202.739.3001



<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		Attorney Docket No.: 041465-5127	Serial No.: 09/988,714
		Applicants: Hiroki KURIBAYASHI et al.	Page 1 of 1
		Filing Date: November 20, 2001	Group Art Unit: 2131

## **U.S. PATENT DOCUMENTS**

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## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	<u>Translation</u>	
						YES	NO
	EP 0 756 279	Jan. 29, 1997	Europe				
	EP 0 843 445	May 20, 1998	Europe				
	JP 02-103780	April 16, 1990	Japan			X (Abstract Only)	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


Examiner	Date Considered
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	